



General Assembly

January Session, 2003

**Amendment**

LCO No. 5526

\*HB0657305526HD0\*

Offered by:

REP. FOX, 144<sup>th</sup> Dist.

To: Subst. House Bill No. 6573

File No. 554

Cal. No. 382

**"AN ACT CONCERNING THE VALIDATION OF CERTAIN MARRIAGES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 46b-80 of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective October 1, 2003*):

5 (a) The following procedures shall be available to secure the  
6 financial interests of either spouse in connection with any complaint  
7 under section 46b-45 or 46b-56 or any application under section 46b-61,  
8 including, but not limited to, present and future financial interests in  
9 connection with an order for alimony or support pendente lite or other  
10 order for periodic payments: (1) Any remedy afforded by chapter 903a  
11 concerning prejudgment remedies, whether or not a money demand is  
12 made in such complaint or application; and (2) at any time after the  
13 service of such a complaint or application, if either party claims an  
14 interest in real property in which the other party has an interest, either

15 spouse may cause a notice of lis pendens to be recorded in the office of  
16 the town clerk of each town in which is located real property in which  
17 the other spouse has an interest. The notice shall contain the names of  
18 the spouses, the nature of the complaint or application, the court  
19 having jurisdiction, the date of the complaint or application and a  
20 description of the real property. Such notice shall, from the time of the  
21 recording only, be notice to any person thereafter acquiring any  
22 interest in such property of the pendency of the complaint or  
23 application. Each person whose conveyance or encumbrance is  
24 subsequently executed or subsequently recorded or whose interest is  
25 thereafter obtained by descent, or otherwise, shall be deemed to be a  
26 subsequent purchaser or encumbrancer, and shall be bound by all  
27 proceedings taken after the recording of such notice, to the same extent  
28 as if he were made a party to the complaint or application. A notice of  
29 lis pendens recorded in accordance with this section may be  
30 discharged by the court upon substitution of a bond with surety in an  
31 amount established by the court if the court finds that the claim of the  
32 spouse against property subject to the notice of lis pendens can be  
33 satisfied by money damages.

34 (b) All notices of lis pendens recorded pursuant to the provisions of  
35 subsection (a) of this section shall be subject to the provisions of  
36 subsection (c) of section 52-325 and sections 52-325a to 52-325c,  
37 inclusive.

38 Sec. 502. Section 46b-82 of the general statutes is repealed and the  
39 following is substituted in lieu thereof (*Effective October 1, 2003*):

40 (a) At the time of entering the decree, the Superior Court may order  
41 either of the parties to pay alimony to the other, in addition to or in  
42 lieu of an award pursuant to section 46b-81. The order may direct that  
43 security be given therefor on such terms as the court may deem  
44 desirable, including an order pursuant to subsection (b) of this section  
45 or an order to either party to contract with a third party for periodic  
46 payments or payments contingent on a life to the other party. In  
47 determining whether alimony shall be awarded, and the duration and

48 amount of the award, the court shall hear the witnesses, if any, of each  
49 party, except as provided in subsection (a) of section 46b-51, shall  
50 consider the length of the marriage, the causes for the annulment,  
51 dissolution of the marriage or legal separation, the age, health, station,  
52 occupation, amount and sources of income, vocational skills,  
53 employability, estate and needs of each of the parties and the award, if  
54 any, which the court may make pursuant to section 46b-81, and, in the  
55 case of a parent to whom the custody of minor children has been  
56 awarded, the desirability of such parent's securing employment.

57 (b) Any postjudgment procedure afforded by chapter 906 shall be  
58 available to secure the present and future financial interests of a party  
59 in connection with a final order for the periodic payment of alimony.

60 Sec. 503. Subsection (a) of section 46b-84 of the general statutes is  
61 repealed and the following is substituted in lieu thereof (*Effective*  
62 *October 1, 2003*):

63 (a) Upon or subsequent to the annulment or dissolution of any  
64 marriage or the entry of a decree of legal separation or divorce, the  
65 parents of a minor child of the marriage, shall maintain the child  
66 according to their respective abilities, if the child is in need of  
67 maintenance. Any postjudgment procedure afforded by chapter 906  
68 shall be available to secure the present and future financial interests of  
69 a party in connection with a final order for the periodic payment of  
70 child support."